Freedom of Information and Protection of Privacy
Review Office

Accountability Report 2003-2004

The **Review Office** provides independent oversight over the ***Freedom of Information and Protection of Privacy Act*** and ***Part XX of the Municipal Government Act.***

The Review Officer is appointed by Order-in-Council for a term of from five to seven years and may be reappointed.

The Office reviews decisions of public bodies related to applications for access to records held by public bodies, local public bodies and municipalities made in accordance with the ***Acts***.

The following is a list of the Review Office's priorities, found in our 2003-2004 Business Plan, and the results of our efforts to meet those priorities.

Priority:

To seek an amendment to the FOIPOP legislation to provide the Review Officer with the explicit powers to investigate and report on privacy complaints. Although the Review Officer provides independent oversight over all sections of the **Acts**, the powers of the Office extend only to the access to information side of the legislation. No powers have been provided to oversee those sections of the legislation which deal with the collection, use and disclosure of personal information.

Results:

- The Office has not yet been successful in having the legislation amended to provide the Review Officer with the powers required to oversee the the collection, use and disclosure of personal information held by government departments, municipalities, hospitals, universities and school boards.

- To that end the Review Officer has written to government and made submissions to the Review Committee established to make recommendations to improve the legislation.

Priority:

To ensure timely responses to requests for review and privacy queries.

Performance measures: (see "Outcomes and outcome measures" in Business Plan 2003-2004)

- To complete reviews and issue reports within 85 days of receiving requests 70% of the time:
    - Of 55 Review Reports issued in 2003-2004, 41 were completed within 85 days: 74.55%.
- To increase the average number of appeals successfully mediated from 38.2% to 43%:
    - 19 Requests for Review were fully mediated: 34.55% and 11 partially mediated: 20%.
- To increase the number of training sessions for administrators and users from two to four:
    - The Review Office held two training sessions for administrators and the Review Officer lectured on the FOIPOP Act before the Dalhousie Law School. (A third session, in Cape Breton, was cancelled due weather and rescheduled in October, 2004)

Strategic goals:

Our Business Plan promised to further support the Government's goal of openness and accountability by raising public awareness of its rights under the legislation. In an effort to reach that goal we have overhauled and updated the material on our website, in French as well as in English, to provide more information to the public in a useful fashion. We believe our website is also more useful for those who administer the legislation for public bodies. The Review Officer also made himself available for media interviews and lectured at the Dalhousie law school.

Human Resources:

With financial support from the Office of Acadian Affairs and Herititage Canada, this Office has been able to retain a part-time assistant to translate our website and the Review Officer's public reports.

Darce Fardy
Review Officer

September, 2004